

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 05-10059-DPW
)	
CHAD BENJAMIN,)	
)	
Defendant.)	

GOVERNMENT'S STATUS REPORT

The government respectfully submits the following as its status report:

On January 16, 2007, the Court issued an oral ruling suppressing the firearm and ammunition in this case. At the time the Court entered its order on the docket, it stated that it would issue a memorandum within the next two weeks more fully explaining its determination. As of this date, the issuance of the Court's memorandum is still pending. The government anticipates filing a notice of appeal [which in the normal course, would be due within 30 days from the Court's granting of the suppression motion] or a motion for reconsideration. The government, however, cannot assess whether it should file a motion to reconsider until it receives the Court's written order.

The government has, therefore, filed this day, a motion for an order establishing that the 30-day period for the government to file a notice of appeal from the court's 1/16/06 oral suppression order or for the filing of a timely motion for reconsideration will not begin until the Court issues its written

opinion or rules on the government's motion for reconsideration.
Said motion is still pending.

Discovery has been completed. The Court has scheduled a
Status Conference for February 1, 2007.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/Antoinette E.M. Leoney
ANTOINETTE E.M. LEONEY
Assistant U.S. Attorney

Date: January 25, 2007

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
January 25, 2007

I, Antoinette E.M. Leoney, Assistant U.S. Attorney, certify
that I caused a copy of the foregoing to be served by electronic
court filing notice to Kevin J. Reddington, Esq., Law Offices of
Kevin J. Reddington, Williamsburg Square, Suite 203, 1342 Belmont
Street, Brockton, MA 02301.

/s/Antoinette E.M. Leoney
ANTOINETTE E.M. LEONEY
Assistant U.S. Attorney